UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MARK R. FERRAN and NADIA FERRAN,

Plaintiffs,

٧.

1:05-CV-0161 (DNH)(DRH)

OFFICE OF THE DISTRICT ATTORNEY
OF THE COUNTY OF RENSSELAER;
KENNETH R. BRUNO, Individually and in
His Official Capacity; RENSSELAER
COUNTY; PATRICIA DEANGELIS, District
Attorney, Individually and in Her Official
Capacity; and JAMES CANFIELD,
Individually and in His capacity as Justice
of the Supreme Court of the State of New York,

Defendants.

APPEARANCES:

OF COUNSEL:

MARK R. FERRAN Plaintiff, *pro se* 36 Winnie Road Albany, NY 12208

NADIA FERRAN Plaintiff, *pro se* 114 Morton Avenue Albany, NY 12202

NAPIERSKI, VANDENBURGH & NAPIERSKI, LLP Attorneys for Defendants, Office of the District Attorney, Kenneth R. Bruno, County of Rensselaer, and Patricia D'Angelis 296 Washington Ave Ext. Albany, NY. 12203

THOMAS J. O'CONNOR, ESQ.

HON. ANDREW M. CUOMO
Attorney General of the
State of New York
Attorney for Defendants
Department of Law
The Capitol
Albany, New York 12224

DAVID N. HURD

**United States District Judge** 

EDWARD LINDNER, ESQ. Asst. Solicitor

## ORDER

Upon the Mandate of the Second Circuit Court of Appeals issued and filed on March 15, 2010, it is

## **ORDERED** that

- 1. The Judgment filed May 13, 2008, is VACATED; and
- 2. Defendants shall file and serve an answer and/or motion with regard to plaintiff's verified complaint (Docket No. 1) on or before April 16, 2010.

IT IS SO ORDERED.

United States District Judge

Dated: March 23, 2010

Utica, New York.